

Notice of Allowability

Application No.

10/748,338

Examiner

Michael W. Talbot

Applicant(s)

GREENBERG, ALEX. M.

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 20 November 2006.
2. ☒ The allowed claim(s) is/are 19-24 and 37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Monica S. Carter
MONICA CARTER
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. The following is an examiner's statement of reasons for allowance:

Claims 19-24 and 37 are allowed.

Claim 19 is the sole independent claim.

2. The prior art of record fails to anticipate or make obvious a stop for a drill bit having (1) "said first sleeve having a first thread adapted to engage said engagement region on said drill bit", (2) "a resilient member disposed within said centering member to bias said centering member to towards a fully extended position in which said forward end of said centering member extends past said tip of said drill bit" and (3) "a shoulder mounted on one of said second sleeve or said centering member for limiting a depth of penetration of said drill bit into said surface", in combination with, a stop for a drill bit having a drill bit with a threaded engagement area, a first sleeve having a second thread with a different pitch than the first thread, a second sleeve having a thread adapted to engage said second thread of said first sleeve, and a centering member being retractably mounted to said drill bit and projecting from said drill bit towards a surface.

Bashlow et al. '353 is the closest art of record.

Bashlow et al. '353 shows in Figures 1-4 a stop (14) for a drill bit (12) where the drill bit has a cutting groove, an elongate body rotatable about an axis, a tip at one end of body, an opposing second end (10) for coupling to a drill and a engagement region disposed between the tip and second end. Bashlow et al. '353 further shows the stop comprising a first sleeve (22,56) being rotatably mounted to drill bit (through connection at 16 and 20) having a first thread (18) and a second thread (38) with a different thread pitch (col. 4, lines 6-28). Bashlow et al. '353 further shows the stop comprising a second sleeve (42) being threadably coupled (44) to second thread of first sleeve and defining a shoulder (54) for limiting a depth of penetration of

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drill bit into an object (V). Both first and second sleeves have an axis of rotation which is coincident with axis of drill bit and the first sleeve includes an outwardly projection (56) having a knurled surface (col. 3, lines 57 and 58) providing means for gripping. Bashlow et al. '353 further shows the second thread (38) of the first sleeve being disposed on the interior of first sleeve and thread (44) of the second sleeve being disposed on the exterior of second sleeve forming a locking mechanism (34,38,44) between the first and second sleeves.

Bashlow et al. '353 lacks a stop for a drill bit having (1) "said first sleeve having a first thread adapted to engage said engagement region on said drill bit", (2) "a resilient member disposed within said centering member to bias said centering member to towards a fully extended position in which said forward end of said centering member extends past said tip of said drill bit" and (3) "a shoulder mounted on one of said second sleeve or said centering member for limiting a depth of penetration of said drill bit into said surface".

Although it is well-known to have stop for a drill bit comprising a threaded sleeve threadedly engaged with the drill bit and a biasing member for maintaining a full extension position of a centering member surrounding the drill bit to maintain contact of the stop with the work surface during drilling, there is no teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to so modify the teachings of Bashlow et al. '353, noting that in Bashlow et al. '353, the first sleeve (22,56) is not threadedly engaged with the drill bit (12) and the centering member (52,54) is not biased to a fully extended position in which said forward end of said centering member extends past said tip of said drill bit. Thus, for at least the foregoing reasons, the prior art of record neither anticipates nor rendered obvious the present invention as set forth in independent claim 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mrs. Monica S. Carter, may be reached at 571-272-4475.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filling papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MWT
Examiner
12 December 2006



MONICA CARTER
SUPERVISORY PATENT EXAMINER

Replacement Sheet



ENTER 12/12/06 MAT

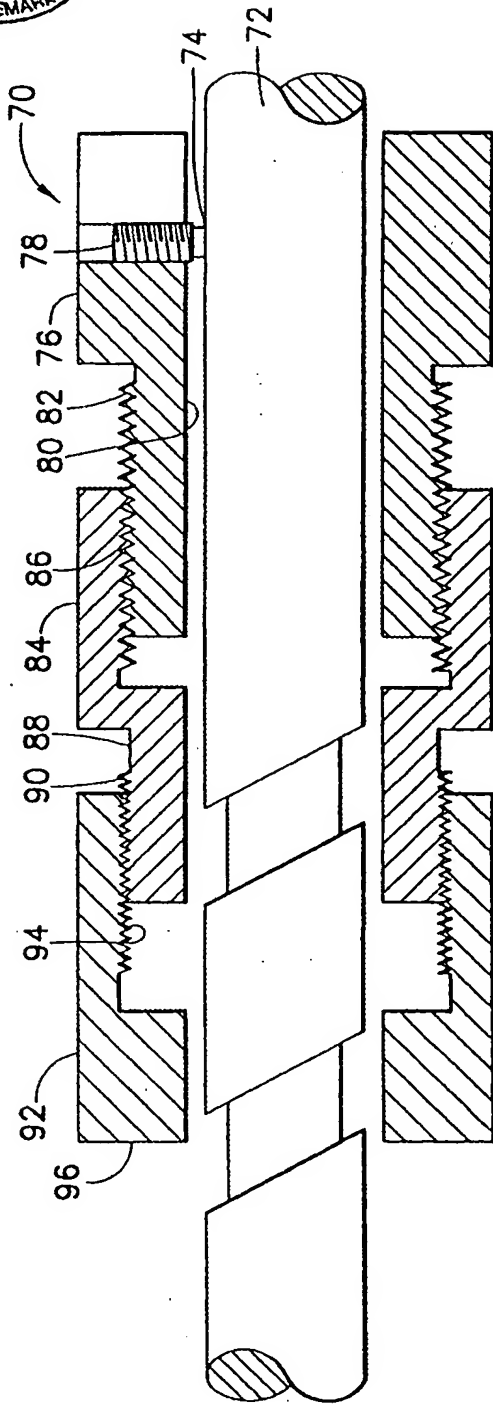


FIG. 5

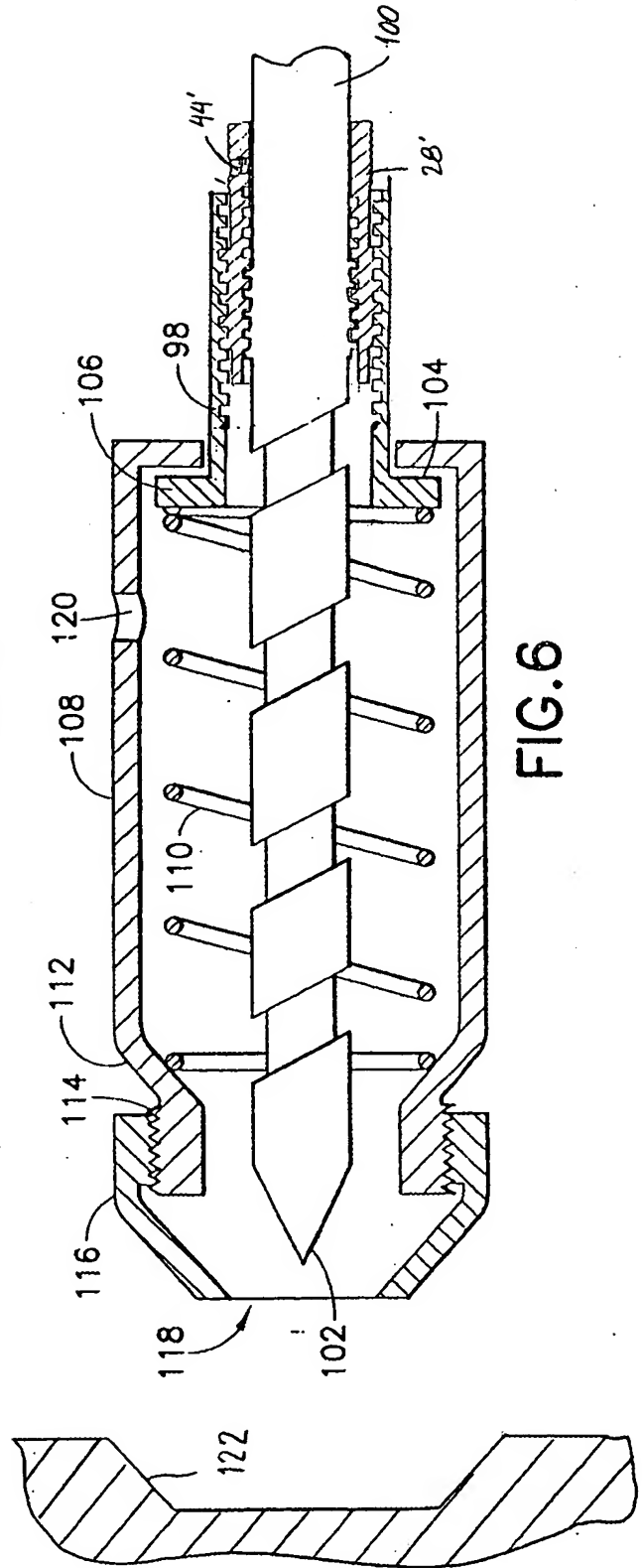


FIG. 6

ENTER 12/12/06 *CAW*

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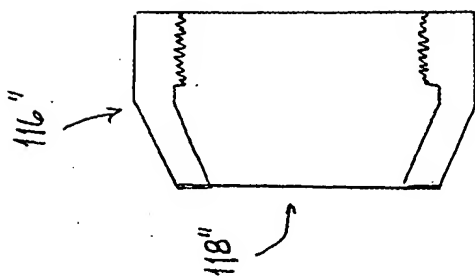


Fig. 7b

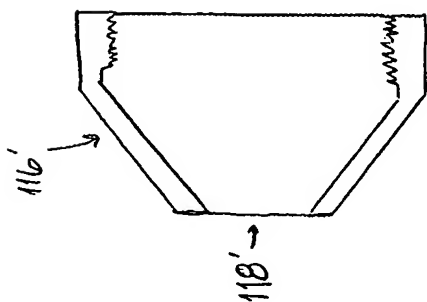


Fig. 7a

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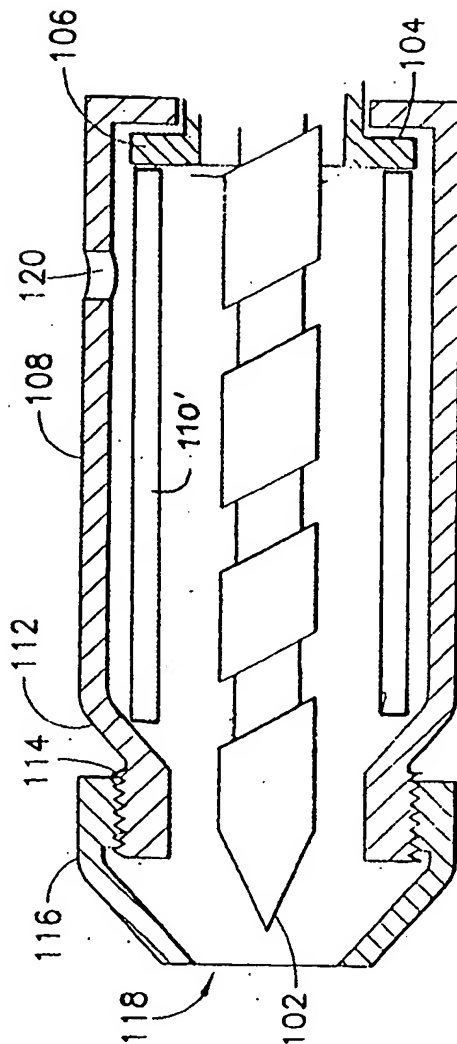


Fig. 8